



01/15/2004 17:54

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CHALKER FLORES LLP

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/623,281	07/18/2003	Patrick L. Watson	EKIN:1001

## CONFIRMATION NO. 2401

## FORMALITIES LETTER



\*OC000000011296419\*

34725  
CHALKER FLORES, LLP  
12700 PARK CENTRAL, STE. 455  
DALLAS, TX 75251

Date Mailed: 11/18/2003

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/16/2004 SZEWDIE1 00000101 10623281

## FILED UNDER 37 CFR 1.53(b)

01 FC:2051	65.00 OP
02 FC:2001	385.00 OP
03 FC:2201	43.00 OP
04 FC:2202	234.00 OP

*Filing Date Granted*

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$277 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$277 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$277

- \$43 for 1 independent claims over 3.
- \$234 for 26 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

Myra Doggett  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE



# CHALKER FLORES, LLP

INTELLECTUAL PROPERTY LAW

JAN 15 2004

**Fax**

DATE: January 15, 2004

TO	Box / Fax No.	RE:
US Patent and Trademark Office	Mail Stop Missing Parts Fax No. 703-872-9306	Serial No. 10/623,281 Filing Date: July 18, 2003 Inventor: Watson
FROM	Edwin S. Flores <a href="mailto:eflores@chalkerflores.com">eflores@chalkerflores.com</a>	
DIRECT LINE	214-866-0001	
DIRECT FAX	214-866-0010	
CLIENT/MATTER NO.	EKIN:1001	
TOTAL PAGES ( <i>including cover</i> )	7	
Customer No.	34,725	

If you have any problems with this transmission, please call 214-866-0001.

Is this for Service of Documents?  
 Please indicate local time deadline:  
 Confirmation Requested:

**Comments**

Attached for filing please find:

1. PTO Transmittal Form..... 1 pg.
2. Fee Transmittal Form..... 1 pg.
3. PTO Form 2038 ..... 1 pg.
4. Notice to File Missing Parts..... 2 pgs.
5. Declaration and Power of Attorney..... 2 pgs.

Thank you,

Edwin S. Flores, Reg. No. 38,453

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12700 Park Central, Suite 455  
Dallas, TX 75251

Tel: 214.866.0001

PAGE 1/8 \* RCVD AT 1/15/2004 6:58:16 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/1 \* DNIS:8729306 \* CSID:2148660010 \* DURATION (mm:ss):03:24<sup>10</sup>



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PTO/SB/21 (05-03)

Approved for use through 04/30/2003, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages In This Submission

Application Number

10/623,281

Filing Date

Jul 18, 2003

First Named Inventor

Watson, Patrick L.

Art Unit

1772

Examiner Name

Total Number of Pages In This Submission

EKIN:1001

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Transmittal Sheet; PTO Form 2038
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Chalker Flores, LLP
Signature	
Date	January 15, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.P. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Type or printed	Edwin Flores	
Signature		Date
		January 15, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTO-9199 (1-800-767-9199) and select option 2.



PTO/SB/17 (10-03)

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 727.00)

## Complete if Known

Application Number	10/623,281
Filing Date	7/18/2003
First Named Inventor	Watson, et al.
Examiner Name	
Art Unit	1772
Attorney Docket No.	EKIN:1001

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account

Deposit Account Number

Deposit Account Name

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
1001	770	2001 385 Utility filing fee	385.00
1002	340	2002 170 Design filing fee	
1003	530	2003 285 Plant filing fee	
1004	770	2004 385 Reissuance filing fee	
1005	160	2005 60 Provisional filing fee	

SUBTOTAL (1) (\$ 385.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependant	Extra Claims	Fee from below	Fee Paid
46	-20**=		26 X	9 =	234.00
4	-2**=		1 X	43 =	43.00

SUBTOTAL (2) (\$ 277.00)

\*\* or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
1051	120	2051 65 SurchARGE - late filing fee or oath	65.00
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	420	2252 210 Extension for reply within second month	
1253	960	2253 475 Extension for reply within third month	
1254	1,480	2254 740 Extension for reply within fourth month	
1255	2,010	2255 1,005 Extension for reply within fifth month	
1401	330	2401 165 Notice of Appeal	
1402	330	2402 165 Filing a brief in support of an appeal	
1403	290	2403 145 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1493	1,330	2493 866 Petition to revive - unintentional	
1501	1,330	2501 665 Utility issue fee (or reissue)	
1502	480	2502 240 Design issue fee	
1553	840	2503 320 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of proprietors)	
1809	770	2809 385 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810 385 For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801 385 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 65.00)

## SUBMITTED BY

## Complete if applicable

Name (Print/Type)	Edwin Flores	Registration No. (Attorney/Agent)	38,453	Telephone	(214) 866-0001
Signature				Date	1/15/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-203B. This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.